

**ENTERED**

February 14, 2018

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA	§	
	§	
VS.	§	MAGISTRATE NO. 2:18-MJ-148-1
	§	
JOHN RUDY HERNANDEZ	§	

**MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL**

A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The following requires detention of the Defendant pending trial in this case:

- (1) There are no conditions or combination of conditions that would reasonably secure the presence of the Defendant; and
- (2) There are no conditions or combination of conditions that will reasonably assure the safety of the community.

The evidence against the Defendant is substantial. The Defendant participated in the sale of firearms to an undercover agent in a tattoo business where firearms were carried and displayed openly. The findings and conclusions contained in paragraphs one through five of the Pretrial Services Report are adopted. There is an active felony warrant for Theft pending in the State of Georgia. The Defendant has been convicted of aggravated sexual assault of a child as well as domestic violence assaults. He is a poor bond risk.

The Defendant is committed to the custody of the United States Marshal or his designated representative for confinement in a corrections facility separate, to the extent

practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 14th day of February, 2018.

  
B. JANICE ELLINGTON  
UNITED STATES MAGISTRATE JUDGE